

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: Unknown )  
)  
Filing Date: Unknown )  
)  
Priority Date: 15 March 2000 )  
)  
Applicant: BRODIE, et al )  
)  
For: IMPROVEMENTS TO CONTROL )  
SYSTEM FOR NETWORK SERVERS )

**PRELIMINARY AMENDMENT**

Director For Patents  
Box: New Application  
Washington, D.C. 20231

Dear Sir:

This is a preliminary amendment to the enclosed application entitled  
"Improvements to Control System for Network Servers".

**In the Specification:**

Please amend the specification as follows:

Before the first paragraph on page 1, please insert

**--CROSS-REFERENCE TO RELATED APPLICATIONS**

This application claims priority to GB Application No. 0006096.2 filed 15 March  
2000.

**BACKGROUND OF THE INVENTION--;**

Page 2, before line 16 insert the following heading:

**--SUMMARY OF THE INVENTION--;**

Page 4, before line 10, add the following header:

**--DESCRIPTION OF THE DRAWINGS--**

Page 4, line 13, after "relates." insert a new paragraph and the following heading

**--DESCRIPTION OF THE PREFERRED EMBODIMENT--.**

Page 7, line 1, change "if" to --of--.

Page 8 after the last line add the following:

--While the invention has been described with a certain degree of particularity, it is manifest that many changes may be made in the details of construction and the arrangement of components without departing from the spirit and scope of this disclosure. It is understood that the invention is not limited to the embodiments set forth herein for purposes of exemplification, but is to be limited only by the scope of the attached claim or claims, including the full range of equivalency to which each element thereof is entitled.--

In the claims

Please amend claims as follows:

1. (Amended) A data transfer network comprising: a trivial file transfer protocol [TFTP] server connected to transfer data to a series of client apparatus connected to the network and when data is to be transferred, one of the clients is designated the master client and the speed of requests for data from said master client determines the rate of transfer of the data to all of the clients [characterised in that] wherein the rate of transfer of data to each client when elected the master client is monitored and compared with a predetermined transfer rate and if, from the comparison, it is identified that the transfer rate is longer than the predetermined data transfer rate, the trivial file transfer protocol [TFTP] server elects another client which is available[,] as master client.

2. (Amended) A data transfer network according to claim 1 [characterised in that the] wherein said trivial file transfer protocol [TFTP] server elects a client as master client which has shown the fastest rate of transfer from the series of clients.

3. (Amended) A data transfer network according to claim 1 [characterised in that] wherein the predetermined transfer rate is preset as an optimal time for the transfer of a certain amount of data.

4. (Amended) A data transfer network according to claim 1 [characterised in that] wherein the master client is monitored for a set period of time to allow comparison with the pre-determined transfer rate.

5. (Amended) A data transfer network according to claim 1 [characterised in that] wherein the transfer rate for each of the clients, when elected as master client, is recorded over a period of time and stored in a database of transfer rates, [the] said server using the database so that on each occasion [the] said server elects as master client the client which shows the fastest rate of transfer in the database.

6. (Amended) A data transfer network according to claim 5 [characterised in that] wherein if the first client which [the] said server attempts to use as master client is not available, [the] said server attempts to elect a client from [the] said database based on an ascending order of client transfer rates.

7. (Amended) A data transfer network according to claim 5 [characterised in that the] wherein said database is updated on each occasion when a client is selected as master client.

8. (Amended) A data transfer network comprising: a trivial file transfer protocol [TFTP] server connected to transfer data to a series of client apparatuses connected to the network and when data is to be transferred, one of the clients is designated as the master client and the speed of requests for data from said master client determines the rate of transfer of the data to all of the clients [characterised in that] wherein if one or more clients is disabled and cannot act as a master client to receive data, this is identified by [the TFTP] said trivial file transfer protocol server by monitoring network management messages which identify the disablement or unavailability of the client and whereupon [the TFTP] said trivial file transfer protocol [TFTP] server does not attempt to elect the said client as master client.

9. (Amended) A data transfer network according to claim 8 [characterised in that the] wherein said network includes internet control message protocol [ICMP] servers and monitors the operation of the said servers to identify those clients which are unavailable or disabled, and until it identifies that the said client is live once more, will not attempt to elect that client as the master client.

**REMARKS**

The application should now be in condition for examination, which is respectfully requested.

Respectfully Submitted

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